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TO

Enable the owners of Settled Estates in England and Ireland to charge such estates, within certain limits, with the expense of building mansions as residences for themselves.

A.D. 1870.

WHEREAS by an Act of the tenth year of the reign of His late Majesty King George the Third, chapter fifty-one, heirs of entail in Scotland are enabled to charge their estates with sums of money laid out by them in building mansions as residences for themselves: And whereas such enactment having been found beneficial in that part of the United Kingdom, it is expedient to enable limited owners in other parts of the United Kingdom to build mansions on their estates as residences for themselves:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the "Limited Owners Residences Act, 1870."

2. This Act shall be construed as one with the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, intituled "Improvement of Land Act, 1864," and the words used in this Act shall be construed in like manner as in the said Act; and the provisions of the said Act shall be applicable, as far as the nature of the case requires, except as is herein otherwise provided, to proceedings under this Act.

Act to be construed with 27 & 28 Vict. c. 114. "Improvement of Land Act, 1864."

3. The erection of mansion houses and offices, and completion of mansion houses and offices already erected, so as such improvement and addition be of a permanent nature, provided the mansion houses so erected or enlarged are suitable to the estates on which they stand as residences for the owners of such estates, shall be improvements within the meaning of the "Improvement of Land Act, 1864."

What to be deemed improvements within meaning of "Improvement of Land Act, 1864."

[Bill 110.]

Limit as to
sum to be
charged for
mansion
houses on
settled es-
tates.

Evidence as
to amount of
rental.

Mode of cal-
culating in-
creased value
resulting
from outlay.

In such cal-
culation,
other lands
settled to
same uses
may be taken
into account.

Discretion-
ary power of
certifying
where erec-
tion of man-
sion house
suitable, but
not an in-
crease in
yearly value
proportionate to
outlay.

Insurance
against fire.

Extent of
Act.

4. The sum charged on any estate under settlement in respect of mansion houses and offices by any one landowner shall not exceed *three years* rental of the said estate, after deducting all public charges and interest of debts affecting the inheritance.

5. The commissioners shall not be obliged to require any further or other evidence of the nature and amount of such charges and of the rental of the estate than the statutory declaration of the landowner to enable them to determine the amount of the sum that may be charged on the estate for such improvement.

6. In calculating whether the improvement would effect a permanent increase of the yearly value of the lands exceeding the yearly amount proposed to be charged thereon, the commissioners shall take into account the effect on such value of any sum expended by the landowner in erecting or adding to such mansion house and offices beyond the sum proposed to be charged.

7. In making such calculation as aforesaid, and in considering the suitability of such mansion house and offices so erected or enlarged as aforesaid to the estates on which they stand, the commissioners may take into consideration any other lands settled to the same uses as the estates on which such mansion house and offices stand.

8. If the commissioners shall find that the erection, improvement, or addition to any such mansion house and offices are suitable to the estate, but would not in their estimation effect an increase of the yearly value of the lands exceeding the yearly amount proposed to be charged, it shall be in their discretion to certify such improvement, but the charge made in respect thereof shall not in that case take priority of any mortgage or other charge then affecting such estate.

9. The provision in the Lands Improvement Act respecting assurance of buildings against fire shall apply to mansion houses and offices improved or added to, as well as to those erected under this Act.

10. This Act shall not apply to Scotland.

Settled Estates.

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To enable the owners of Settled Estates in England and Ireland to change such estates, within certain limits, with the expense of building mansions as residences for themselves.

*(Prepared and brought in by
Mr. Stophols, Colonel Stophols, and
Mr. Stophols.)*

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[Bill 110.]

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